

# UNITED STATES DISTRICT COURT

for the

CLERK'S OFFICE U.S. DIST. COURT  
AT DANVILLE, VA  
FILED

Western District of Virginia

**MAR 27 2008**

United States of America  
v.  
Marvin Lewis Carter

JOHN F. CORCORAN, CLERK  
BY: [Signature]  
DEPUTY CLERK

Date of Previous Judgment: May 8, 1996

(Use Date of Last Amended Judgment if Applicable)

) Case No: 4:95CR70125-001

) USM No: 06129-084

) Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☐ the defendant ☐ the Director of the Bureau of Prisons ☒ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☐ DENIED. ☒ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of 262 months is reduced to 210 months.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 36

Amended Offense Level: 34

Criminal History Category: IV

Criminal History Category: IV

Previous Guideline Range: 262 to 327 months

Amended Guideline Range: 210 to 262 months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☒ The reduced sentence is within the amended guideline range.  
☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.  
☐ Other (explain):

### III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 5/8/1996 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: 3-27-08

Effective Date: ~~3/3/08~~ 4-7-08  
(if different from order date)

[Signature]  
Judge's signature

Jackson Kiser, Senior United States District Judge  
Printed name and title